

#4

IN THE UNITED STATES RECEIVING OFFICE

Applicant : Sergio Fantini
Serial No. : 10/507,336
Filed : September 10, 2004
Title : OPTICAL IMAGING AND OXIMETRY OF TISSUE

MAIL STOP PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Responsive to the Notification of Missing Requirements under 35 U.S.C. 371
mailed **January 28, 2005**, Applicant as a small entity submits herewith the following:

- ☒ Payment of the surcharge of \$65 for late filing of the oath or declaration;
- ☒ Payment of the surcharge of \$510 for the Petition for Three Month Extension of Time;
- ☒ A check in the total amount of \$575 is attached; and
- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63.

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050, referring to attorney docket number 10851-008US1.

07/05/2005 HKAYPAGH 00000155 10507336

01 FC:2617

65.00 0P

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL 224673877 USJune 28, 2005

Date of Deposit

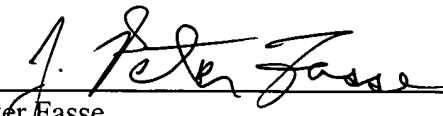
Applicant : Sergio Fantini
Serial No. : 60/364,239
Filed : March 13, 2002
Page : 2 of 2

Attorney's Docket No.: 10851-008P01 / Tumor
Diagnosis (T001165)

Respectfully submitted,

Date: _____

June 28, 2005



J. Peter Fasse
Reg. No.: 32, 983

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

21117302.doc

JPF
MWB

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/507,336	FIRST NAMED APPLICANT Sergio Fantini	ATTY. DOCKET NO. 10851-008US1
---	---	----------------------------------

INTERNATIONAL APPLICATION NO. PCT/US03/07766	
LA. FILING DATE 03/13/2003	PRIORITY DATE 03/13/2002

26161
 FISH & RICHARDSON PC
 225 FRANKLIN ST
 BOSTON, MA 02110

RECEIVED

FEB 02 2005

FISH & RICHARDSON, P.C.
 BOSTON OFFICE

Date Mailed: 01/28/2005

CONFIRMATION NO. 2806
 371 FORMALITIES LETTER



OC000000015034398

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/10/2004
- Copy of the International Search Report filed on 09/10/2004
- Small Entity Statement filed on 09/10/2004
- U.S. Basic National Fees filed on 09/10/2004
- Priority Documents filed on 09/10/2004

Docketed By	Practice Systems
Action Code	PCT Miss Reg
Base Date	1-28-05
Due Date	3-28-05
Deadline	8-28-05
Initial	UW3

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

→ Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

Entered By	Billing Secretary
Due Date	3-28-05
Deadline	8/26/05
Initials	

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/507,336	PCT/US03/07766	10851-008US1

FORM PCT/DO/EO/905 (371 Formalities Notice)